



# Hawaiian Gazette.

VOL. XXXIX, NO. 24

HONOLULU, H. T., TUESDAY, MARCH 22, 1904—SEMI-WEEKLY.

WHOLE No. 2574.

## YINKOW HEARS HEAVY FIRING DOWN THE LIAOTONG COAST



GAZETTE PHOTO ENG

### London Rumor of Port Arthur's Fall.

ASSOCIATED PRESS CABLEGRAMS

YINKOW, Mar. 21.—Heavy firing heard from the coast.

Yinkow is a port at the mouth of the Liao river, and is near or a part of Newchwang (sometimes called Niuchwang). The Russian warship Sicutch, the American gunboat Helena, and a British vessel are ice-bound there. The entrance to the Liao river is guarded by many forts on both of its banks and until the ice breaks up the Japanese could not force their way into it although the place could be bombarded from the sea. Some time ago a cable stated that the residents of the place feared an attack by the Japanese and more recent dispatches from Newchwang announce that the Russians are now preventing foreigners from passing the limits of the city's fortifications. There has been considerable trouble at Yinkow between Russian soldiers and the sailors on the ice-bound American gunboat and the American consul there recently protested against attacks made upon him while assisting Japanese refugees in that place.

## UNCONFIRMED PORT ARTHUR NEWS.

LONDON, Mar. 22.—An unconfirmed story is current here that the Japanese have occupied Port Arthur, following land and sea attacks on Saturday and Sunday.

## IMPORTANT IF TRUE.

There is also an unconfirmed story that, in a battle near Wiju, 600 Russians were killed.

## MONGOLIANS THREATEN RUSSIA.

ST. PETERSBURG, Mar. 22.—Armed Mongolians, disguised as pilgrims, are concentrating on the Russian frontier.

## RUSSIAN TROOPS POURING IN.

Four thousand Russian soldiers are arriving daily in Manchuria.

MOSCOW, Mar. 22.—Five million, five hundred thousand roubles have been subscribed for patriotic purposes.

The British colony contributed a field hospital with fifty beds.

## REPORTED JAPANESE ALLIANCE.

ST. PETERSBURG, Mar. 21.—It is reported from Paris that an alliance of Japan, China and Korea has been formed.

## AFTERNOON REPORT.

CHEFOO, China, Mar. 19.—The Russians claim to have taken 1,800 Japanese prisoners in a battle fought along the Yalu river.

MANILA, P. I., Mar. 19.—The forces commanded by Major General Leonard Wood have defeated Datto Ali with 2,000 Moros. The Moros lost 100 men, ammunition and guns, and are in full retreat. The American force sustained no loss.

TOKIO, Japan, Mar. 19.—It is now believed that the Diet will not propose a change in the sugar tariff but will recommend a domestic tax on the basis previously stated.

ST. PETERSBURG, Mar. 19.—Viceroy Alexieff telegraphs that the enemy has been discovered three miles from Anju. Ping Yang has been occupied by Japanese infantry in large bodies. No cavalry has been seen yet.

## EXECUTIONS AT SEOUL.

SEOUL, March 19.—Thirteen accomplices in the murder of the Queen in 1895 and twenty-two highwaymen have been executed here.

## PROTESTING AGAINST CHINESE TROOPS

BERLIN, Mar. 20.—It is stated that Russia and Germany will make a joint protest against the concentration of 40,000 Chinese troops along the line of Russian communication.

ASSOCIATED PRESS CABLEGRAMS

## Japanese Parliament to Choose a Person by the Emperor at Tokio.

ASSOCIATED PRESS CABLEGRAMS

ST. PETERSBURG, Mar. 21.—The reported battle along the Yalu river is not confirmed. The situation remains practically unchanged.

## RUSSIA MAKES ANOTHER PROTEST.

PARIS, Mar. 21.—Russia has protested against the action of the Japanese fleet in shelling the quarantine section during the Port Arthur bombardment.

## EMPEROR OPENS DIET.

TOKIO, Mar. 21.—The Japanese Parliament was opened with much ceremony. The Emperor opened the diet personally.

## FOREIGNERS MUST STAY AT NEWCHWANG.

NEWCHWANG, Mar. 21.—The foreigners have been forbidden to go beyond the walls of the city.

## RUSSIAN BATTLESHIP LEAVES CRETE.

CANA, Mar. 21.—The Russian battleship Ossiliabya accompanied by torpedo-boats has sailed for an unknown destination.

The Russian intermediate battleship Ossiliabya and the torpedo-boats make up a portion of the Russian fleet which recently returned to the Mediterranean from Jibutil, French Somaliland, after being ordered to return from their voyage to the Far East on account of the great damage to the Russian vessels at Port Arthur. Ossiliabya was built in 1898.

ST. PETERSBURG, Mar. 20.—Russian troops are pouring into north Korea.

## TYPHUS AMONG JAPANESE.

It is reported that typhus is raging in the Japanese army.

## WARNING FROM VICEROY.

Viceroy Alexieff has warned the troops not to injure private property.

## THE VLADIVOSTOK SQUADRON.

The whereabouts of the Vladivostok squadron is a secret. It is believed the vessels will try and join those at Port Arthur.

## RUSSIA'S SECRECY INCREASING.

The government has forbidden the transmission of ciphers.

## LIGHTS AT SEA OFF NEWCHWANG.

MUKDEN, Mar. 20.—It is quiet here, but suspicious lights have been seen at sea off Newchwang.

## RUSSIA WANTS HELP.

YINKOW, Mar. 20.—Russia has approached Germany in regard to the protection of its property at Newchwang.

## JAPANESE REFUGEES IN SIBERIA

WASHINGTON, Mar. 20.—Japan has asked the United States to send battleships and two cruisers to Sasebo for repairs, also to request Russia to relieve fifty refugees now in Siberia and assist them. It is reported that there are two thousand wounded in Japanese hospitals as a result of the sea fighting here.

### GOVERNOR CARTER CALLS LEGISLATURE IN SPECIAL SESSION

He Makes a Statement of Reasons for Action and Issues the Proclamation.

April 6 the Date.

A special session of the Legislature is called for Wednesday, April 6. The Governor's proclamation to that effect appears in this issue of the Advertiser.

Governor Carter gave up all of yesterday to interviews with members of the Legislature and business men invited to the executive chamber for the purpose.

The purpose of the session is proclaimed to be for the consideration by the Legislature of such financial measures as may be brought before it.

According to the opinions expressed by members of the Legislature to the Governor, the business can be dispatched within thirty days. Some of them thought ten days.

After the Governor had made his decision he dictated the following statement for publication in the Advertiser:

## GOVERNOR CARTER'S STATEMENT.

"In a period of financial depression partly caused by the low market price of our principal commodity, it is most unfortunate that the Territory should be forced to increase the difficulty of the situation by registering all its warrants—by practically asking its servants and creditors to carry it until November next, thus overtaxing the resources of our bankers and merchants.

"Blame whom you may, the fault rests finally with the people, and can be cured only through them. We have overreached ourselves; the demands made on our general funds from every section and every class have placed the Territory on a plane of expenditure far in excess of its income. Our position today is intolerable. To continue simply means financial embarrassment. For the Executive to retrench does not solve the difficulty, for it simply continues the present wide range of public service and only cuts down the efficiency of each department, and does away with necessary repairs

(Continued on page 2.)

## VLADIVOSTOK SQUADRON.

PARIS, Mar. 19.—It is reported that the Vladivostok squadron has left port.

## AFTERNOON REPORT.

SEOUL, Mar. 18.—The Emperor of Korea today officially received the Marquis Ito.

TOKIO, Mar. 18.—The special session of the Diet called to consider war measures to be presented by the Cabinet opened here today.

PORT ARTHUR, Mar. 18.—It is reported that two Japanese

# OPEN VENIRE IS ORDERED

Fifty New Jurors  
for Trial of  
Jones.

(From Saturday's Daily.)

An open venire for fifty men to serve as trial jurors in the empaneling of a jury in the Jones murder case was ordered yesterday afternoon, returnable at 9:30 this morning, by Judge Robinson. This was done on motion of Deputy Attorney General E. C. Peters after the entire list of 250 jurors for service this year had been exhausted. A. G. M. Robertson for the defense opposed the motion, but after argument, it was granted by the court.

Out of sixteen jurors examined yesterday, the grand jury being summoned on the spot the instant of their discharge as such, not a man passed the examination for cause.

Douglas Kaona and James Brown were retired for their scruples against capital punishment. Harry Z. Austin went out, after a long quizzing for opinion, on his claim of statutory exemption as an attorney of the lower courts. Henry Birkmyre was not an American citizen. Arch S. Robertson had been called on the former trial of Jones for the other murder charged. By consent of both sides F. P. McIntyre, Charles S. Merrifield and Harry Carl were excused for fixed opinions. On the motion of the prosecution, Solomon K. Nihoa, Frank H. Armstrong, John A. Baker, Henry Hickey and Albert J. Lyon were excused for cause shown in their answers, and similarly Arthur Johnstone and Ernest R. Clark at the instance of the defense, there being contests in several cases.

Samuel Kawaiaea, called, is yet to be examined, as there must be twelve men on the panel before one can be examined for cause.

## LAWYER'S VIEW.

An attorney not in case remarked yesterday on the peculiar circumstances of the examination of jurors, in that the defense virtually admits the killing of Mrs. Jones by the defendant, and Jones was acquitted of the Parmenter murder on the plea of insanity, yet jurors are opposed and rejected upon the score of their opinions regarding the admitted facts of the double homicide.

"Have you formed an opinion as to the sanity or insanity of the defendant?" is a question thus far never put to a juror on his voir dire.

## DAVIS COMES BACK.

George A. Davis, trustee of Rita C. Tewksbury, has filed an answer to the objections to his account entered by M. T. Simonton, his own nominee as guardian ad litem of Flora Tewksbury, a minor. It consists of six closely written pages of manuscript, besides papers showing an investment of \$1750 in a mortgage together with a check for \$318.00 having endorsed on it a statement that it is "for the purpose of buying a bond for \$500 at 6 per cent in the interest of the principal and her children as an investment per instructions."

## WOULD MUZZLE THE PRESS.

As reason for his supplementary account now filed, he says it is "so that the newspaper reporters and others who are constantly watching for an opportunity to print scandalous and malicious articles on ex parte information may be asked to correct them if on examination it is found that the duties of the trustee have been performed in a manner that is satisfactory to this Honorable Court, and failing to so correct that an order may be made that no publication of the doings of trustees shall be published to the world until those intrusted with the management of trust funds shall be given a hearing and their evidence given in open court."

## DEFENDS DOINGS.

In the supplementary account Davis says the bond in question was "called in by virtue of an Act of Congress."

He claims, in answer to another of Mr. Simonton's objections, that checks are the best kind of vouchers, saying "the money was placed in the bank where honest men are accustomed to place trust funds."

A law book is quoted to justify his spending money from the principal fund, contrary to the express terms of the trust deed, for the support and maintenance of Rita C. Tewksbury's children. Davis says Simonton's objection on this score "is at least premature," remarking:

"As the cestui que trustient under the trust deed got the money when it was needed I don't feel that I have departed far from the paths of rectitude in so advancing them their own money"—(the last four words being underlined).

## CAN EXPLAIN.

With regard to the guardian's objection to double charging a fee of \$15 for drawing a deed, he talks about "a separate deed and says 'this plaintiff can no doubt explain this \$15 item and will do so'."

## SOME FIGURING

Answering the fifth objection, he says "this trustee was urged to keep sufficient money on deposit and subject to check to provide for the support, maintenance and education of the woman and her two children, and to pay bills necessary to be paid, and to build a house, etc., so that after four years \$1,000 there is a house and lot and \$200 in cash . . . . . 1,000.00 and interest paid them of 554.77 cash advanced Mrs. Tewksbury for the purpose set out and to pay bills . . . . . 623.60

\$3,876.37 is at least a fair showing for this trustee who received . . . . . 3,323.60 amount earned . . . . . \$ 554.77

This plaintiff did not rent the house because Mrs. Tewksbury insisted upon keeping it as a home and place to abide when not suffering from temporary fits of insanity and if this trustee departed from the strict line of his duty in not renting it he did what in the sight of God and man he believed to be just and right toward this unfortunate woman." He goes on to take credit for preparing this bill in equity and for intention to appear himself "to save the cost of litigation that has eaten up so many small estates in these Islands." In conclusion:

## ASSETS OF DAVIS.

"This plaintiff now asks your Honor to personally go over these accounts and thus save the master's fee which would come out of the money on deposit in the bank, and he also asks your Honor's indulgence in referring to the cowardly and contemptible newspaper attacks that have been made upon him from time to time by newspapers that seem to be bent upon destroying his assets to wit his character and desire to do unto others, as he would that they should do unto him."

## THE APRIL TERM.

An order was issued yesterday assigning odd-numbered civil cases for the April term to Judge Gear and the even-numbered to Judge Robinson, the criminal calendar to be in charge of Judge De Bolt.

## IMPORTANT POINTS DEVELOP.

Judge De Bolt heard argument in the Lahamaluna contract injunction suit of Kendall vs. Holloway and Lucas Bros. yesterday morning. As some questions of importance had developed in the matter, the court directed counsel for the different parties to file briefs. The hearing was continued until Monday.

## PLANING MILLS BATTLE.

Pacific Mill Co. vs. Enterprise Mill Co. went to the jury before Judge Gear yesterday afternoon. At 5 p.m. there being no sign of a verdict, the jury were sent to the Hawaiian Hotel for dinner with instructions to resume their deliberations at 7:30.

When the jury had retired Judge Gear resumed the hearing of the American Dry Goods Association case.

## PROBATE MATTERS.

Judge Gear orders James E. Fullerton, guardian of the four minor children of the late Harry Roberts, to pay the mother not more than \$200 of the principal each year for the care and education of the minors, and to pay the interest monthly.

J. Lightfoot, guardian of W. H. D. King, late a minor, files an account with receipts of \$886.75 and payments of \$401.63, leaving a balance of \$485.12. A petition for his discharge is also filed, stating that the ward has come of age.

Charles H. Ramsey is appointed by Judge De Bolt as administrator of the estate of Frederick Ingalls Cutler, deceased, under bond of \$100, on the petition of Stanley A. Cutler.

## FORECLOSURES, ETC.

William Blaisdell has filed his bond in \$200, with James R. Morgan and W. H. Hoogs the sureties, as commissioner of sale in the suit of Henry Smith, trustee, vs. Christopher John Holt, Emma M. Holt and Carlos A. Long.

Judge Gear has signed a decree of foreclosure and sale in the case of M. P. Robinson et al., trustees of S. C. Allen's estate, against John C. Crowder, appointing Wm. K. Sims as commissioner of sale.

On the petition of both parties, Judge De Bolt extends the time of execution one month in the case of Scott & Wagner vs. W. C. Achi.

## COURT NOTES.

In the suit of Henry & Clark vs. H. Hackfield & Co., Ltd., and Castle & Cooke, Ltd., the following papers were filed yesterday: Judge De Bolt's order overruling demuror of H. Hackfield & Co., Ltd.; exceptions to that order, and answer of H. Hackfield & Co., Ltd. The answer is a general denial.

Defendant in Brewster vs. Church is allowed by Judge Gear ten days in which to file bill of exceptions.

## Mooring Permits to Be Revoked.

W. H. S. Edmunds, manager of the Live and Refrigerated Fish Company, walked out of the Police Court yesterday morning a free man, without having been compelled to answer to the charge of obtaining money under false pretences as the warrant, which brought him into court, charged. The government, on the advice of its special attorney, Mr. Cathecar, decided to nolle pross the case after having gone over the correspondence and records of the case on file in the office of the Superintendent of Public Works.

An understanding was effected between Edmunds through his counsel R. W. Breckons, and the government, by which on Breckons' advice the defendant is to return oars, rudders and other gear of fishing sampans which had been held by Edmunds for non-payment of "mooring" charges.

Owing to the nature of the permits issued by Superintendent Holloway to Edmunds regarding the "Ewa end of the harbor" moorings, it was believed that there might be much of a case proved against Edmunds.

High Sheriff Brown stated yesterday on the knowledge that the Superintendent would revoke the permits giving Edmunds exclusive rights at the "Ewa end of the harbor," the prosecution would drop the matter. The permits will be at once revoked, leaving the Japanese fishermen in full control of the moorings undisturbed, as they were before the maneuverings of the fish company.

ONE OF THE TRIUMPHS OF MODERN SURGERY—By applying an antiseptic dressing to wounds, bruises, burns and like injuries before inflammation sets in, they may be healed without maturation and in one-third the time required by the old treatment. This is one of the greatest discoveries and triumphs of modern surgery Chamberlain's Pain Balm acts on this same principle. It is an antiseptic and when applied to such injuries causes them to heal very quickly. It also relieves the pain and soreness. Keep a bottle of Pain Balm in your home and it will save you time and money, not to mention the inconvenience and suffering such injuries entail. For sale by all Dealers and Druggists. Benson, Smith & Co., Ltd., Agents for Hawaii.

Mr. McClellan has well recovered from an attack of the grip, which kept him in bed at the Riggs House for nearly a week. He stated today that good progress was being made with the electric light bill and that all Hawaiians

# NAVY CHIEF INDIFFERENT TO PEARL HARBOR WORK

Need of Pushing Things at This End--Electric Light Bill--Mr. Armstrong's Lecture--Kubio May Not Run Again.

(Mail Special to the Advertiser.)

WASHINGTON, D. C., March 7.—The Merchants' Association of Honolulu recently requested Mr. George B. McClellan, who is here chiefly in regard to legislation affecting the electric lighting franchise, to call upon Secretary of the Navy Moody and ascertain the prospects for improvement of the Pearl Harbor station. He had an audience with the Secretary, the result of which Mr. McClellan tells in his own words.

"I called by appointment in company with Representative Calderhead, of Kansas, who was a close personal friend of the Secretary while he was in the House and also in company with the Hawaiian delegate," said Mr. McClellan this afternoon. "Although the Secretary received us with great courtesy, and gave us nearly an hour's time, yet the net results of the interview held some very discouraging features as regards the outlook for any immediate operations at the Pearl Harbor Naval Station.

"It is significant," added Mr. McClellan, "that, although the naval appropriation bill for this year, is considerably the largest ever passed by Congress, totalling almost \$100,000,000, it does not carry a single dollar for the Pearl Harbor station. This, the Secretary explained, is partly due to the fact that the National development has made necessary the beginnings of two new naval stations this year, namely at Guantanamo and Subig Bay and this, together with the new construction work, and necessary enlargement on existing stations, and current maintenance of the navy make up the large total of the current appropriation bill.

The Secretary of the Navy admitted that he had not had time, as yet, to go fully into the claims and strategic advantages of the Pearl Harbor Station but said with frankness that its advantages and claims would be considered on their merits as an integral part of the national naval system. He intimated, however, that the general board, whose advice governs very largely as to all questions of strategic value at different stations had made no specific report on Pearl Harbor as they regard the Cuban and Philippine stations as of prior importance.

"It will be well, if the Merchants' Association and all Honolulu people concerned in the development of the naval station at Pearl Harbor realize that the actual construction of any considerable station at Pearl Harbor, within the next ten years, will come only as the result of systematic and persistent work on the part of Honolulu people in bringing influence of all the friends of Hawaii in Congress and in official life and of all business and professional men of prominence who may visit Washington or may have business of any sort with the Navy Department.

"Any idea that merely because the United States government has secured a site for a naval station that she will necessarily proceed to the immediate construction of dry docks and other equipment for a naval station, may as well be abandoned at once. No considerable construction work has ever been done as yet at any naval station except as a result of concerted effort on the part of Congressmen and Senators, representing that part of the country, backed by business influence of those who are similarly interested. The Subig Bay station will form an exception to this rule, but its strategic location has made it the particular favored scheme of the entire Navy Department and evidently up to the present time no very strong idea of the strategic value of the Pearl Harbor station has been held by the Navy Department since a large station at Subig Bay in the Philippines was determined upon.

"The personal attitude of Secretary Moody," added Mr. McClellan, "was entirely friendly and he volunteered the suggestion that an official commission to recommend construction plans for a Pearl Harbor station would probably not be the best way to secure the desired results. He volunteered the opinion that it was an official commission of this sort which delayed the Subig Bay station almost three years. Mr. Moody, however, assured the Honolulu delegation that he would during the year give the fairest consideration to all the claims of Pearl Harbor and, if he could consistently with the general naval programme, recommend a beginning there it would be done. Translated into other words, this means that if any item for Pearl Harbor is to find its way into the next year's appropriation bill it will come only as the result of a careful and systematic presentation of the matter to the Navy Department and the members of the general board during the next eight or nine months."

Secretary Moody told Mr. McClellan that he had cut out of the navy estimates an item of \$5,000 for Marine Barracks at Honolulu station. "This," Mr. McClellan added, "was because, as Mr. Moody explained, it was not the intention of the Navy Department to make any further improvements on the Honolulu station, since it is regarded as temporary and any permanent improvement will be constructed at Pearl Harbor only."

Mr. McClellan has well recovered from an attack of the grip, which kept him in bed at the Riggs House for nearly a week. He stated today that good progress was being made with the electric light bill and that all Hawaiians

here are working in harmony towards the enactment of such a measure as the subcommittee has agreed upon.

## ELECTRIC LIGHT BILL.

The terms of that amended measure I forwarded in a letter some ten days ago. It was expected that the subcommittee's work would be adopted by the full committee early last week but two or three meetings were held and the matter went over, as members of the committee had other important business to take up. The subcommittee fixed a maximum rate of fifteen cents per kilowatt for electricity in Honolulu, but the discussions in the full committee have shown some inclination to put the price back to twenty cents, as provided in the bill that passed the territorial legislature. Mr. A. Gartley, who has followed the proceedings of the Territories Committee very closely with Hon. W. O. Smith, has appeared before the committee with some carefully prepared statements about the cost of furnishing electricity. His statistics about the cost in Massachusetts cities showed that a price of fifteen cents for Honolulu, everything considered, was far below what is being charged now in these Massachusetts cities. Mr. Gartley's presentation has gone far to twenty cents, as provided in the bill that passed the territorial legislature.

The art of land surveying owes its origin to the fact that the Egyptians were unable to keep permanent monuments on land which was overflowed every year by the Nile. Under such circumstances it became necessary to have some means of reidentifying the various pieces of land. The instruments and mathematical methods of astronomy, with suitable modifications, were used by the Egyptians for land surveying.

There is also some agitation within the committee for fixing the term of franchise at ten or twenty years. It is expected, however, that these matters will be decided by the full committee and probably be sent to Honolulu by cable before this letter reaches there.

The gas bill is coming in behind the electric bill and little of a decisive character has yet been done regarding it. The understanding is that the committee will agree upon an upset price of twenty cents with ten per cent discount for cash payments.

## PHILIPPINE SHIPPING BILL.

The Philippine Shipping bill, in which Hawaii is vitally interested, is still pending before the Senate at this writing, but probably will be considered anew within a few days and passed. It was considered for two days in the Senate and extensively debated, when the Naval Appropriation bill was taken up, having the right of way. The important amendment from the standpoints of Hawaii, was that providing the law, "requiring all trade between the Mainland and the Philippine Islands, should not go into effect until July 1, 1905. It is now understood that the Capitol that the expectation is to have free trade with the Philippines by that date. It was the expectation of this which persuaded Secretary Taft to yield his opposition. Nevertheless it is not altogether assured that such a bill for free trade with the Philippines can pass Congress at the short session next year.

However, it is probable that the shipping bill will pass Congress at this session. The House Committee on Merchant Marine and Fisheries has not been giving the matter any attention during the past week but hearings will be resumed at an early date. It is probable that the Senate bill, which is expected soon to reach a vote there, will be taken up by the House Committee and probably it will be that bill which the House Committee will report.

## MR. ARMSTRONG'S LECTURE.

An interesting stereopticon exhibition of Hawaiian views was given last Friday night in the banquet hall of the Shoreham by Mr. W. M. Armstrong, of Hampton, Va., and Honolulu, who has recently returned from a visit to the Hawaiian Islands. The exhibition was given for the entertainment of a number of Mr. Armstrong's friends in the city, the especial guest of the evening being Mr. W. O. Smith, of Honolulu. Many of the views, especially those depicting mountain scenery, tropical foliage, cloud effects, and Honolulu flower women, were of remarkable beauty. The running comments of Mr. Armstrong on the pictures were an additional source of delight to his guests.

The House Committee on Territories was to have held a meeting this morning to consider Hawaiian bills but was prevented from doing so by the absence of a quorum. "We shall probably meet day after tomorrow," said Representative Hamilton, the chairman, this afternoon. "I have no doubt the franchise bills will be reported favorably."

It is learned that one of the difficulties besetting Hawaiian legislation in the House is complication over statehood bills. The House Territories Committee is a pack of trouble over those measures, which are absorbing their time and attention.

Mr. Withington, representing the interests in the gas bill, has just returned from a second visit to Massachusetts.

He was a guest Saturday evening of the Bar Association at Newburyport, Mass.

## LIGHT HOUSEES.

Delegate Kalaniapole was at the Treasury Department a few days ago regarding construction of lighthouses in Hawaii. He was informed that the board had decided to send a commissioner to Hawaii to examine the question of lighthouse sites. The board would take no action till a report had been received, which probably means no construction of new lighthouses for Hawaii can be authorized at this session of Congress.

The Delegate also said today that he had not made up his mind whether or not to run again for Congress. "I was

resistant to become a candidate two years ago," said he. "I told the people during the campaign that I had no legislative experience and did not regard myself fitted for the duties of delegate." He added that he does not like Washington and has little inclination to come back again.

ERNEST G. WALKER

## MRS. COOKE DIES IN OAKLAND, CAL.

Mrs. H. E. Cooke died at Oakland, Calif., Thursday evening, after an illness of two months from ptomaine poisoning. She was a sister-in-law of Chas. M. Cooke, A. F. Cooke, Mrs. J. B. Atherton and Mrs. Anna Montague Turner of Honolulu; the mother of Joseph P. Cooke and Wm. G. Cooke of Alexander & Baldwin, Ltd., Honolulu, and San Francisco, and Miss Grace Cooke, and a sister of John K. Wilder and Mrs. Shepherd. Most of the life of the departed lady, who belonged to a well-known missionary family, was spent in this city. She left here with her children, her husband being then dead, for Oakland in 1885. The tidings of her death came by cable to Chas. M. Cooke, with a request to send the same by wireless telegraph to Jon. P. Cooke, on Maui. Mrs. Cooke was 81 years of age on March 10.

# Hilo is now going ahead

**Business Men Are Organized for Progress.**

Hilo, March 19.—The meeting last Friday night at Fireman's hall for the purpose of organizing a Hilo Chamber of Commerce was well attended. There were probably forty of the leading merchants and professional men present. The object of the meeting was to form a business men's organization which shall have for its purpose the matter of looking after the general welfare of Hilo.

The meeting was called to order by A. C. McKenney, who by general request and unanimous vote, was made chairman for the evening. L. Turner was elected secretary.

The business transacted was wholly preliminary, the work of organizing permanently being left until next meeting. The name of the organization, selected after much discussion was "The Hilo Development Association." A committee was appointed to report at next meeting with a list of officers and a set of general rules.

In considering the name to be adopted the discussion covered a wide range. The trend of opinion at first expressed was that Hilo could not or would not successfully carry on a Chamber of Commerce, it being said that an attempt to do so had failed in better times than we now enjoy. The motion was then made to call the organization "The Hilo Improvement Association." The discussion was prolonged. Mr. Peck said that he believed there was much in a name. If the modest village or town of Hilo should attempt to carry on an organization with a metropolitan name, it might invite ridicule. On the other hand, a name that was too local in its significance would not create the proper impression abroad. He thought the name "Chamber of Commerce" to be too high sounding and considered "The Hilo Improvement Association" a little too modest. He therefore moved to amend the first suggested by calling it "The Hilo Commercial and Development Association." Mr. C. E. Wright of the Volcano Stables and Transportation Co. said he had had experience with long names and would like a shorter one much better.

Dr. Hayes stated the fact that in the New England States every town and village had its "Improvement Club" and that these were usually composed of public spirited women and that the range of their operations did not extend beyond planting trees on the streets and cutting weeds out of alleys. He did not believe the business men of Hilo desired to work solely along these lines "landable" as they might be. He was opposed to using the word "improvement" in the christening of the new organization.

W. H. Lambert was heartily in favor of the movement and believed it would accomplish much good for the community. He favored the adoption of some such name as "The Hilo Board of Trade."

A. L. Lousson of Hamakua, who was present, came forward at this juncture with a word which is characteristic of the man. He proposed to call the new society "The Hilo Commercial and Development Association." "Development," said he, "means business. It means new industry, railroads, mills and new acres opened up to production." Mr. Lousson's idea caught favor and after lopping off the word "commercial" for the sake of brevity, the name stood forth. "The Hilo Development Association."

The committee on organization to report at next meeting is composed of Messrs. P. Peck, W. H. Lambert, C. E. Wright, Dr. Henry Hayes, B. F. Schoen. Their report will be given at a meeting at Fireman's hall tomorrow night at eight o'clock.—Tribune.

**DEPUTY SHERIFF FETTER:**

Deputy Sheriff W. A. Fetter has assumed the duties of his office. He has not yet resigned from the captaincy of the local company of the National Guard. While in Honolulu Mr. Fetter made several raids with the redoubtable Chillingworth and took pointers on conducting cases in court. He comes into his new duties well equipped to perform them.

**LIFE AT KILAUEA:**

Manager Bidgood of the Volcano House reports that business at the mountain hostelry has been excellent of late, despite the fact that neither volcano is active. The weather at Kilauea has been superb during the past four weeks. A whole month passed without any rain. During the first third of this month over fifty guests registered at the Volcano House.—Tribune.

**TOURISTS AT LIMA:**

A large number of tourists from the United States Wednesday were invited to the residence of R. H. Peacock, Minister plenipotentiary. The entire company were strangers to the place and other than the few who had entered the party. Hawaiian sports were represented by the Kilburne quartet. The band was prepared under

# LITTLE WON'T KENNAN IS HAVE DOYLE IN HONOLULU

**Latter Needed in the Funakoshi Case.**

The refusal of Judge Little to permit Chester Doyle to act as interpreter in the Funakoshi case is based upon his remembrance of the time when Doyle caught him delivering another man's speech. Doyle is badly needed in the Funakoshi case as he is the best interpreter of Japanese in the Islands and as the ones at Hilo are under suspicion. But Judge Little put the personal consideration first and justice must take its chance. Following is the correspondence on the subject:

**'DOYLE TO SHERIFF ANDREWS:**

Hilo, Hawaii, March 3, 1904.  
Lorrin A. Andrews, Esq., Sheriff of the Island of Hawaii.

Dear Sir: In the matter of the Territory of Hawaii vs. Funakoshi and Watanabe now held on Indictment in the Fourth Judicial Circuit Court the following facts and representations have been made known to the High Sheriff's Department. These cases are of the utmost importance to the well-being of the community, not only because of the heinous crimes with which the defendants stand charged but because of the fact that the defendants are recognized leaders of a criminal band here in the Islands. It is reported to the High Sheriff that all of the available interpreters now in Hilo stand under the suspicion of being purchased or otherwise tampered with by the defendants; and that the Territory cannot safely go to trial unless a competent and unbiased interpreter can be secured.

The High Sheriff has called upon me asking that I come to Hilo for the purpose of acting as interpreter of the Japanese language in these cases, and has secured from the First Judge of the First Circuit and from the Chief Justice of the Supreme Court the necessary permission for me to come to the Fourth Circuit for this purpose. I hand you herewith a letter from the High Sheriff on this subject.

It is a matter of public notoriety that there are unpleasant differences between the Judge of the Fourth Judicial Circuit and myself and that the Judge has stated that because of his personal feelings towards me he will not permit me to act as interpreter in his court room. So far as I am personally concerned, I am only interested in the proper performance of my duties as interpreter and while in court am uninfluenced by anything of a personal nature. I am prepared to act as the Japanese interpreter in the cases for which I have been sent to Hilo and that to the best of my ability. Before I can run the risk of being publicly sent out of the court room I wish to have some sort of understanding as to the position which Judge Little will take towards me in the event I shall be called into his court room in my official capacity. I therefore ask you that you call upon Judge Little at your earliest convenience and state the facts which I have above outlined and request from him an expression of opinion in this matter and learn from him definitely what attitude he will take towards me if I am called upon to act as interpreter.

If the cases cannot be tried at the present time I am prepared to remain in Hilo and act whenever the cases are ready for trial. Will you let me have an early reply to the above requests?

Very respectfully yours,

C. A. DOYLE.

**SHERIFF ANDREWS TO DOYLE:**

Hilo, Hawaii, March 3, 1904.  
C. A. Doyle, Official Japanese Interpreter, Judiciary Department, Hilo, Hawaii.

Dear Sir: I have received your favor of even date and in reply I have the honor to state that in accordance with your request, I waited on Judge Little of the Fourth Circuit Court and informed him of your request and the reasons for your having been sent to Hilo to act as Japanese interpreter.

Judge Little gave courteous attention to what I had to say, but stated unequivocally that he would not allow you to act as interpreter in his or in any other court at which he might be presiding. I think it would be useless to try and get Judge Little to change his attitude in regard to your appearing officially before him.

Yours truly,

L. A. ANDREWS,  
Sheriff of Hawaii.

**HIGH SHERIFF BROWN TO DOYLE:**

Honolulu, T. H., March 18, 1904.

C. A. Doyle, Esq.

Dear Sir: I beg to acknowledge receipt of your communication of the 3d, together with a copy of letter from yourself to Sheriff Andrews and his reply to you.

I regret that Judge Little should have allowed his personal feelings to prevail to the extent of refusing to have you interpret in the trial of the case of the Territory of Hawaii vs. Funakoshi.

Your ability as a Japanese interpreter and your official position as such prompted me to send you to Hilo at the request of Sheriff Andrews, who was anxious that the most competent and reliable interpreter should be secured for the trial of the Funakoshi case.

I alone regret the humiliation caused me by sending you to Judge Little under these circumstances and feel that the ends of justice are far from being promoted by such actions of his.

Yours truly,

A. M. BROWN,  
High Sheriff, Territory of Hawaii.

# PATIENT IS A SUICIDE

**The Famous Writer En Route to Orient.**

(From Sunday's Daily.)

George Kennan, whose descriptions of the wretched existence of Russian exiles in Siberia electrified the world many years ago, and for which he is now a marked man in the Russian Empire, is a passenger on the army transport Buford, which arrived from San Francisco last evening. He is accompanied by Mrs. Kennan.

The distinguished author and correspondent is en route to Manilla, whence he will go to Japan, Korea and even into Manchuria should fortune so favor him. His entry into the last named country will probably not be effected unless Japan sweeps Russia authority from its confines.

Mr. Kennan believes, all things considered, that Japan's opportunity for ultimate victory over those of Russia is great. He cites many advantages accruing to the Japanese military forces not possessed by Russia. One of these is that Japan is fighting nearer her own base, while Russia is practically fighting 6,000 miles away from the seat of government. He says also that the Japanese are practically fighting on the same ground they traversed in their 1894-5 campaigns. Almost every foot of the Pingyang country, he says, was trodden by Japanese armies at that time, and this former experience he be-

# FOUR MORE CHALLENGES LOOKS LIKE UNFAIR DEAL

**Progress in Empanelling Jones Jury...Various Court Items.**

(From Sunday's Daily.)

Just four more challenges are available in empanelling a jury for the Jones murder trial, one for the prosecution and three for the defense. There are twelve men passed for cause, with next challenge up to the defense. The prosecution waived its fifth challenge, so that the defense had four challenges in succession to exercise, of which three have thus far been exhausted. Nine names remained in the trial jury box when, at 5 p. m. yesterday, Judge Robinson adjourned court for the day.

With ten men on the panel who had passed for cause and one awaiting examination at the opening of court in the morning, 46 men appeared in obedience to the open venire for 50 which had been issued on Friday afternoon. Four challenges were exercised during the day and six men passed for cause, leaving a full panel at adjournment to await the pleasure of counsel tomorrow morning. Judge Robinson suggested going on to the bottom of the open venire if necessary, so that if a jury were not then obtained another open venire might be issued. Counsel on both sides however, wanted a breathing spell and the cause was continued until 9:30 tomorrow morning. Court will open at 9 to hear demurrers, motions, etc., in other causes.

Another proposed amendment provides that the 20 per cent raise to enlisted men and 10 per cent to officers shall apply to those serving in the Philippines, Guam, Alaska and Panama, but shall not be given hereafter for services rendered in Porto Rico and Hawaii.

"It looks like discrimination against us," the Governor said while he held the drafts of amendments and of his cablegrams in his hand.

"As we are now situated these amendments would make the Army men dislike service in Hawaii. Their effect would also tend to lower the moral tone of the forces located here."

"I have prepared a message to Secretary Taft asking him if this will not discriminate against service in Hawaii, where the cost of living is high, as well as lower the moral tone of officers and men. I ask him if he cannot change it."

"I am also writing to Kuhio, asking if there is any reason for such discrimination against Hawaii."

"The merchants should feel aroused over the proposition. It means less money paid out here, which is a phase of the matter that concerns the business community. The Merchants Association I should think, might take some action."

**THERE IS NO DANGER** whatever from lockjaw or blood poison resulting from a wound when Chamberlain's Pain Balm is promptly applied. It is an antiseptic and destroys the germs which cause these diseases. It also causes wounds to heal without maturation and in one-third the time required by the usual treatment. Sold by all dealers and druggists. Hanson, Smith & Co., Ltd., Agents for Hawaii.

**Rough at Waimea:**

Passenger Trial of the steamer W. G. Hall: reports—"Steamer McNaughton, at Waimea, has 1400 bags K. H. M. sugar aboard. Too rough to work at Waimea. Saturday p. m."

"Bark W. B. Flint at Makaweli discharging freight. Southerly winds with rain squalls on Kauai."—Robinson was otherwise engaged and was asked to come again on Monday morning.

A. G. Correa, attorney for Mrs. Tawakbury's daughter, yesterday filed objections to Davis's account.

**MAY WINS OUT:**

The jury before Judge Gear found damages for the Pacific Mill Co., Ltd. (Gremett May's company), against the Enterprise Mill Co., Ltd. (Peter High's company), in the sum of \$800 with interest at 6 per cent per annum. Defendant noted exceptions.

**KONA COMPANY JUDGMENT:**

Judge De Bolt in open court yesterday signed judgment in the suit of William W. Bierce, Ltd., vs. Clinton J. Hutchins, trustee of Kona Sugar Co., Ltd. Objections to rulings of the court, etc., were made by the score. An exception to the judgment was also taken by the defendant, with notice of motion for a new trial. Klimay, McClanahan & Cooper for plaintiff; Cathcart & Milverton for defendant. The judgment for the recovery by the plaintiff from the defendant of \$32 tons of steel rails, a variety of railroad material specified, 16 railway cars and two locomotives, and failure of the defendant to forthwith make return of said property to the plaintiff, the plaintiff shall have judgment for the value of said property found to be the sum of \$20,000 and damages for its detention from the 1st day of June, 1903, found to be the sum of \$146, and the costs of action.

**NEWMAN'S HEIRS PAID:**

William W. Hall, administrator of the estate of Edwin R. Newman, deceased, has filed final receipts. They are from Emma Newman, widow of decedent, for \$42.15, being one-third of the balance, and from Jasdon R. Todd, guardian of the estate of Rodney Newman and Paul Newman, minor children of decedent, for \$1924.30, being two-thirds of the balance remaining in the administrator's hands upon the settlement of his accounts in probate. The receipts are dated Ithaca, New York, Feb. 22, 1904.

**LONG NAMES TO HANDLE:**

If they were exacting of each other as to being called by their full names, it is little wonder a divorce suit is pending between Isata Namahoeulus Halualani, Ibelian, and Lilia Kahelopua Kalaeokoa Halualani, Ibelian. T. McCants Stewart, attorney for Ibelian, has filed an answer denying the allegations of cause for divorce, also a motion directing the Ibelian to pay a reasonable counsel fee to Ibelian or her attorney.

**DAVIE'S TRUST:**

Geo. A. Davie, trustee of Rita C. Tawakbury, did not come to time with his promised defense to the objections of M. T. Simpson, guardian ad litem of Flora Tawakbury, minor, yesterday. He hurried into court late when Judge



GEORGE KENNAN.

Heves will be of inestimable value when the actual clash of the mighty armies takes place.

Mr. Kennan was interviewed aboard the Buford last evening. He is not well, having a slight recurrence of a fever he contracted in Cuba during the Spanish war.

I know Russia pretty well and have also been in Manchuria, entering at the north. I was in Siberia the first time about thirty years ago. I went there to build a telegraph line to connect Asia and America by way of the Behring strait. I went there again in 1887 to investigate the exile system.

I wrote about twenty-seven articles for Century magazine, and was then barred out of the Russian Empire. I did not go back again until two years ago when I succeeded in slipping through by way of Finland. I reached St. Petersburg, was arrested, and was sent out of the Empire.

I am now representing The Outlook. I have no definite plan. This will all depend upon conditions when I reach the Orient. I go to Manila and then to Yokohama. Things will probably be shaped by that time to indicate what my policy will be.

I incline to the belief that the Japanese will gain the victory, although we know little of their preparations or movements. The Japanese government is right in these days of cables when news so easily gets to an enemy by flashing it all around the world, to keep military movements secret. I think the advantages are now with the Japanese.

At first I thought they were with the Russians before the destruction of their warships at Port Arthur. The Japanese have now the possession of the sea and therefore have a tremendous prestige.

Russia could not win Japan if she could bring all her resources to bear, but she is fighting for her life, and the seat of government. The Japanese military force is a far more efficient force than the Russian army.

I alone regret the humiliation caused me by sending you to Judge Little under these circumstances and feel that the ends of justice are far from being promoted by such actions of his.

Yours truly,

A. M. BROWN,  
High Sheriff, Territory of Hawaii.

(Continued on page 2.)

# Hawaiian Gazette.

Entered at the Postoffice of Honolulu  
H. T., Second-class Matter.

SEMI-WEEKLY.

ISSUED TUESDAYS AND FRIDAYS.

WALTER G. SMITH, Editor.

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Manager.

TUESDAY : : : MARCH 22

## THE WAR SITUATION.

Admiral Alexeoff's announcement that 230,000 men have been mobilized in Manchuria between Port Arthur and Harbin will probably not deceive the Japanese as it seems intended to do. It is now pretty well known that the Russian force in that neighborhood when the war began was not much in excess of 100,000 and that since then the single track railroad covering a distance equal to that between Toronto and Cape Horn, has been both broken and congested. Under such circumstances the transportation of 130,000 men and of supplies enough to feed them and the 100,000 already on the ground could hardly have been effected in five or six weeks. The weather, the amount of rolling stock, the condition of the line and of the commandant, the state of military preparation in Russia proper—all these things must be summed up in the scheme of probabilities against the Viceroy's computation.

It is strategy, however, in case Admiral Alexeoff needs more time, to compel the enemy to move more time. Could he convince the Japanese that he has 230,000 men in hand and more coming their own preparations would have to be prolonged. But it is likely that the Japanese know as much about the strength of the Russian forces as their commander does. Their spy system is so perfect that it extends into the Russian official family; it pervades the rank and file and has widely spread among men of Nihilist propensities. Moreover Manchuria is full of long-queued Japanese disguised as Chinese. Little that goes on in the sphere of Russian action in Korea long remains unknown in Tokio. So if there are not 230,000 troops in Manchuria, Admiral Alexeoff cannot make the Japanese think so.

Of actual war news there is very little but this does not necessarily imply the absence of events. It is the apparent policy of Japan to permit the publication of no news stories which are at all coincident in time with the war occurrences described. But few correspondents have reached the army in Korea and these are not at the front; indeed they have been sent far to the rear. An English officer lately arriving at Vancouver says the correspondents are "in despair," which is quite likely. And their despair will probably be intensified if they expect to be able to put fresh stories on the cable or to send anything in the nature of forecasts. In the former war with China uncertainty prevailed for a week in Japan itself as to whether the news of the report of the capture of Port Arthur was true; and the full account of the event was withheld from the American papers for five weeks. The censorship then exercised has since been increased.

An amusing sidelight upon the bumptiousness of the Russian generals is afforded by an interview with Kuropatkin in which that officer says that, "after crushing the Japanese in Korea and Manchuria, we will take their islands." For the representative of a power, the navy of which has been crushed and which could not put a transport on the sea between Japan and the mainland and give it protection, such a statement is at least unexpected. It has been doubted by experts that even the British could land an army in Japan, so splendidly fortified and defended are all its harbors and vantage grounds. Even if Kuropatkin killed every Japanese in Korea or Manchuria there would still remain a triumphant Japanese navy and a Territorial army, capable of indefinite expansion, to defend the coasts. Japan is, in its location as well as its defensive arrangements, considered the most impregnable country in the world.

## JAPANESE FOREIGN TRADE.

In a recent report from Kobe, the consul says that Japanese direct foreign trade has already assumed such proportions that there is now no question concerning its future progress. Until the year 1901 the customs returns showed its extent annually under the titles of "Imports by Japanese Merchants" and "Exports by Japanese Merchants," but this feature of the foreign trade has now been eliminated from that document. During 1900, the last year for which this characterization was furnished, Japanese merchants were shown to have done thirty-eight per cent. of Japan's total trade. This consisted of exports valued at \$36,543,354 and imports valued at \$56,143,051.

The percentages of foreign trade exploited by Japanese merchants have been as follows:

	1897	1898	1899	1900
Direct imports	35	23	41	39
Direct exports	28	34	38	37

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# OPEN VENIRE IS ILLEGAL

## The Murder Trial Abruptly Ends.

Judge Robinson yesterday afternoon discharged all of the eleven jurors who had passed for cause in the Jones murder case, also all the jurors summoned in a second open venire, and was about to order a change of venue to another Circuit when counsel for the defense obtained a continuance till this morning to give time for considering the new situation thus suddenly precipitated. It came immediately at the opening of the court after the noon recess. Following is the decision of Judge Robinson in full, which is self-explanatory:

### RULING OF THE COURT.

Since the motion was made, gentlemen, for the issuance of an open venue after the exhaustion of the 250 names this matter has come to my attention, contained in the case of Hawaii vs. Mankichi, decided by the Supreme Court of the United States and contained in 191 United States at page 317.

After dwelling at some length upon the points involved in that case, Hawaii vs. Mankichi, Mr. Justice Brown uses the following language:

"It is insisted, however, that, as the common law of England had been adopted in Hawaii by the code of 1897, it was within the power of the courts to summon a grand jury, and that such action might have been taken and criminals tried upon indictments properly found and convicted by a unanimous verdict. The suggestion is rather fanciful than real, since section 1109 of the code of 1897"

(This is the law of 1892 as amended in 1903 upon which you based your objection to the granting of the motion, Mr. Robertson.)

"adopting the common law of England, contained a proviso that 'no person shall be subject to criminal proceedings except as provided by the Hawaiian laws.' These laws provided expressly (section 616, Penal Laws of 1897) as follows: 'The necessary bills of indictment shall be duly prepared by a legal prosecuting officer, and be duly presented to the presiding judge of a court before the arraignment of the accused, and such judge shall, after examination, certify upon each bill of indictment whether he finds the same a true bill or not.' The question thus squarely presented to every judge in the Republic was, whether he was bound to summon a grand jury under

"It is ordered that the jurors sworn upon their voir dire in the case, as well as those summoned under any special or open venire in this court be and they are excused from further attendance upon this court in this cause. And that said cause of the Territory of Hawaii vs. Edward Mitchell Jones be and the same is hereby continued until to-morrow morning at 10 o'clock for further disposition."

the Newlands resolution, when no provision existed by law for impaneling the same, or their payment, and when, in so doing, he was obliged to ignore the plain statute of his own country."

This case was not called to my attention as a matter of fact, gentlemen, either by the prosecution or by the defense, and I think it is conclusive on this matter and that the court erred in granting the prosecution's motion for the summoning of an open venire.

The order granting said motion is hereby vacated and set aside and the objection to the motion sustained. Let the open venires heretofore issued here be and the same are hereby vacated and set aside.

Now, as to the disposition of this case, I think that as far as this court is concerned the 250 names selected for trial jurors have been fully gone into and it would be useless to continue this case for trial at the next succeeding term of this court, because we are similarly confronted with the same 250 names which have been called by this court to serve and act as trial jurors in this cause.

### CHANGE OF VENUE.

Under section 627, Penal Laws of 1897, which was a portion of the Session Laws of 1876, Chapter 40, it is provided (Judge Robinson continued):

"It shall be lawful for any Court of Record or Judge thereof, at any stage of any criminal proceedings depending therein, whether the venue be by law local or not, to order that the venue be changed, and to direct that the trial be had in Honolulu or in some particular Judicial Circuit, in such cases and for such reasons as the Justice of the case may require, and subject to such conditions as the Court or Judge may, in its or his discretion, impose."

Judge Robinson had uttered the opening words of an order to change the venue of the case to another Circuit when Mr. Robertson interposed a request to stay further proceedings until he could have time to consult with his associate counsel, Mr. Dunne.

Mr. Peters objected, hinting a depreciation of "any further surprise." He said, opposite counsel should not ask for delay, since the ruling just made was a sustaining of his own objection to the open venire.

Mr. Robertson answered that the objection was overruled when made, and that was as expected, so that its sustaining now created a new situation.

Judge Robinson, after some further discussion, put off his intended order to change the venue with the following order:

"It is ordered that the jurors sworn upon their voir dire in the case, as well as those summoned under any special or open venire in this court be and they are excused from further attendance upon this court in this cause. And that said cause of the Territory of Hawaii vs. Edward Mitchell Jones be and the same is hereby continued until to-morrow morning at 10 o'clock for further disposition."

### THE DAY'S PROCEEDINGS.

Deputy Attorney General Peters, at the opening of proceedings yesterday morning, stated that William Larsen, who had passed for cause on Saturday,

(Continued on Page 8.)

## GOVERNOR CARTER CALLS LEGISLATURE IN SPECIAL SESSION

(Continued from page 1.)

and improvements. Of course, much can be done where we are now extravagant, and our watchword should be a full dollar received for every dollar expended.'

"Our experiment under the present form of self-government will certainly fail unless the people can be made to recognize the following propositions: That they must, through their Legislature, adjust their own affairs; that whenever the expenditure of a department is increased, provision must be made for it; that if a new service is demanded of the Government, some other less important function should be abandoned, and the difference in cost made good by a direct charge or by increased taxation. And the sooner the people of this Territory and their representatives in the Legislature recognize this the better."

"Much can be said in explanation—many excuses can be offered, but the real difficulty seems to be that those who have made these demands on the Government in the past are unwilling to pay more taxes or to submit to special charges for special privileges rendered."

"Let us begin now to change this method. If a special service is required, let those who enjoy it pay for it or go without. To my mind, the foregoing illustrates one of the fundamental causes of our difficulties, and every opportunity should be accepted to adjust such a matter, for delay is often procrastination. Temporary retrenchment is not permanent cure. I believe our people feel as I do, that when there is a difficult or arduous task to be performed, the only course is to face it squarely and tackle it at once."

"As the authority to call the Legislature rests with me, I would not feel myself true to Hawaii's best interests if I failed to take this responsibility. If Hawaii is ever to fit herself for a place in the Union of sovereign States, we must show that we have a government here, not only of the people and for the people, by BY the people."

Following is the form of proclamation convening the Legislature in special session:

### PROCLAMATION.

I, George R. Carter, Governor of the Territory of Hawaii, by virtue of the authority in me vested by law, hereby convene the Legislature in Special Session on Wednesday, the Sixth Day of April, A. D. Nineteen Hundred and Four, for the consideration of such financial measures as may be brought before it.

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Territory of Hawaii to be affixed.

(Seal) Done at the Capitol in Honolulu this Twenty-first day of March, A. D. 1904.

G. R. CARTER.

By the Governor:

A. L. C. ATKINS,

Secretary of Hawaii

# JAPANESE SAILOR SHOT BY A SEA CAPTAIN

## Chilean Bark Othello Has Trouble With Crew and One Man Is in Queen's Hospital With a Bullet Through His Neck.

(From Monday's Daily.)

Yasuda, a Japanese sailor, was brought ashore from the Chilean bark Othello last night with a bullet through his neck, alleged to have been placed there by Captain Wesley, because he wouldn't leave the vessel fast enough.

A charge of assault with a deadly weapon has been placed against the captain and Captain Flint was sent down to place the man under arrest. Yasuda was taken to the Queen's Hospital and will recover unless blood poisoning sets in.

According to the story told High Sheriff Brown by fellow Japanese sailors who were on the vessel with Yasuda, the assault was entirely unprovoked. Four or five days ago six Japanese were shipped as able seamen on the Othello for the voyage to Vancouver. Eight Port Ricans, with two other Japs who were working their passage, formed the crew.

Kadoshi, one of the Japanese, signed the complaint against the captain last night. Through Miki, the Japanese policeman who acted as interpreter, he said that the six Japanese shipped four days ago with Captain Wesley. The Othello sailed at one o'clock Saturday for Port Townsend, but did not use the wind. The south wind drove the vessel ashore off Pearl Harbor about midnight when the captain dropped anchor. Then, according to the Japanese, the captain became dissatisfied with the work of the Japs and sent a boat ashore for a new crew. When the four seamen who had been shipped arrived alongside the six Japanese were ordered down in the hold by the captain, according to Kadoshi. No sooner had they got down than they were ordered back again and then the captain told them to get their belongings together and get into the launch. The Japs meekly obeyed and appeared on deck with their bundles. They began climbing down into Durant's launch and all but Yasuda and Kadoshi were over the side, when according to the latter's story, the captain became angry because Yasuda didn't move fast enough. Kadoshi says that the captain beat him cursing Yasuda and finally kicked him, ordering him to move lively. He then reached to his hip pocket and fired at Yasuda, striking him in the throat. The Jap was not so badly wounded that he could not climb over the side and managed to clamber over into the launch without assistance.

Captain Durrant was at the vessel's side when the shooting occurred, having just landed the four white seamen. He said that the shooting occurred about 6:30 o'clock and though he heard the shot, could not see what had occurred, as he was some twenty feet away. Captain Durrant brought the wounded man and the five sailors to the city, taking them directly to the police station. High Sheriff Brown was summoned and immediately sent Captain Flint with a warrant for the arrest of Wesley. The Othello is laying off Pearl Harbor about twelve miles from the city.

The information against the captain, designated as John Doe, was sworn to before Judge Lindsay by Kadoshi, who claimed to have witnessed the shooting.

It is ordered that the jurors sworn upon their voir dire in the case, as well as those summoned under any special or open venire in this court be and they are excused from further attendance upon this court in this cause. And that said cause of the Territory of Hawaii vs. Edward Mitchell Jones be and the same is hereby continued until to-morrow morning at 10 o'clock for further disposition."

### THE DAY'S PROCEEDINGS.

Deputy Attorney General Peters, at the opening of proceedings yesterday morning, stated that William Larsen, who had passed for cause on Saturday,

(Continued on Page 8.)

"There was no more trouble that night. On Sunday I came ashore and secured a second mate and four white seamen to replace the Japs, for I didn't want such a murderous lot on my ship. About 6:30 in the evening, when it was quite dark, a couple of the Japs were ugly toward me and I ordered them into one of the boats to send them ashore. They did not want to go, and one of them advanced toward me. I sprang back and as I did so, another reached back into his hip and drew a knife and made for me.

"I then sprang forward closing on his throat with my left hand, and with my revolver in my right hand I swung it around and dashed it against his left jaw. They say the gun went off, but I swear to God that no bullet, if there was a bullet in that chamber, struck the man. The very position of the revolver would have sent the bullet far back of his head. They say his face is powder burned. That maybe but I swear again that no bullet entered him. I can prove this.

"I am satisfied that when the Japs went over the side he jabbed his knife into his neck and made the wound. Then again there is no blood to be found on the deck."

Worth was formerly first mate on the St. James and only recently transferred to the Othello.

## RUSSIAN STORY OF THE BOMBARDMENT

PORT ARTHUR, March 11.—Last night passed without incident. The Japanese squadron, which disappeared after Thursday's bombardment and naval fight, has not returned. The Russian squadron proceeded to sea this morning and returned this afternoon. It is understood that no Japanese ships were sighted.

Although during the bombardment a number of shells from the Japanese ships burst in the streets of the town, the damage to the buildings was comparatively slight.

The new town sustained the greatest damage. A shell burst a few yards from the house of M. Sidorski, a lawyer, whose wife is a daughter of Col. Baron Frank M. Sidorski, and he and his daughter were killed on the spot, the latter's head being blown off. Madame Sidorski was injured by fragments of the shell and a girl named Walentash was wounded and died soon afterwards in a hospital.

A Chinaman was killed and several Chinamen were wounded. General Stoessel, the commander of the Russian troops at Port Arthur, and his staff, while watching the bombardment from a battery, were peppered by splinters from a shell, but sustained no injuries.

On Golden Hill Lieutenant Wachin and one soldier were wounded. Two sentries on Electric Cliff were wounded.

A Japanese ironclad was struck by a Russian shell and slowly withdrew.

The bombardment, which was severe, only ceased at 12:30 in the afternoon.

### Japanese War Fund.

The Hawaii Shimpō says: The following shows the amounts obtained by the various committees for the contributions to the war fund up to last Saturday:

Agency of Yokohama Specie Bank ..... \$ 8,716.85  
Kei Hin Bank ..... \$ 8,758.10  
Patriotic Japanese Women's Association ..... 57.80  
Hawaii Shimpō Sha ..... 414.25  
Total ..... \$17,285.50

Why should the Home Rulers join with the Democrats," said Senator Kai-kukalani, president of the Home Rule party, in response to a question from an Advertiser reporter the other day.

"Wait until they show that they can win an election, then the Home Rulers may come over. We might fuse now, but we are waiting until after the presidential election. If the Democrats win then we will join, but they can't do anything alone here, while the Home Rulers can. We can beat the Republicans anyway at the next election. They promised a county act to the people and look what they did. Passed a county bill which they knocked out as soon as we began working under it. I am not in favor of joining with the Democrats until they win an election or until we have a Democratic president."

## FEDERAL COURT TRIAL JURY PANEL

Following is the panel of trial jurors for the next term of the United States District Court, to appear on April 18 or one week from the opening day of the term:

Joel K. Kahino, F. C. Atherton, Harry R. Macfarlane, Jr., John Coffee, P. C. A. Peterson, Samuel M. Kamakau, Wm. Wagner, H. W. Lake, J. A. Fenner, Henry P. Roth, Fred W. Grimwood, Robert H. French, Ernest A. Ross, J. F. Colburn, C. S. Holloway, Wm. W. Kirkland, Paul Muhlendorf, all of Honolulu; M. B. Johnson, Wai-pahu; T. S. Kay, Kohala; Thos. Clark, Walluku; Matt McCann, Lahaina; John F. Anderson, Waialua; A. B. Kennedy, Alea.

## CABLE COLONY'S FOOD SUPPLIES

On the Buford consigned to Midway for the cable colony, are 400 pounds of general supplies consisting of refrigerated stuff, canned goods and vegetables.

BROWN IS A MUSICIAN

## Hawaiian Awaiting the Noose, Member of the Band.

James Brown, the Hawaiian who is reported in the dispatches as being under sentence of death at Kansas City, is well known to many Honolulu people. He is part-Hawaiian and has been away from the Islands seven or eight years.

"Jim" Brown, as he is more familiarly known, was a member of the band organized under the monarchy by Captain Berger. He is a cornetist of much ability and often played solo numbers here. At the time of the overthrow Brown refused to join the new band organized by Captain Berger for the Provisional Government, and went with Liborio's National Band for a tour of the mainland. Brown left the band at Kansas City and was married to a white woman there. Later he became involved in all sorts of trouble, and has, it is reported, served one term in prison for larceny. No one in Honolulu appears to have any knowledge of the nature of the crime for which Brown is awaiting the death penalty.

Tourist Promotion.

Of course the continued storms of the past month incline to dampen the ardor of tourists, but bright days are coming and with them tourists are also coming.

The work of the Hawaiian Promotion Committee is beginning to tell, and its results will be realized this summer. But when the tourists reach Honolulu, they should be encouraged to visit Maui, Maui and Kauai. True, the Honolulu hotels might at first suffer by losing these people for a short time, but they would be the gainers in the end, for visitors to the other Islands would carry back glowing reports which would largely increase travel from the mainland to the Islands, and thus more reward the Honolulu hotel people for their long-sightedness in inducing tourists to visit all the Islands—Maui News.

Hairless Horse.

Owing to the continuous rains on the pasture lands up country, many of the range horses are almost entirely denuded of hair—Maui News.

DISTRIBUTION OF RUSSIAN TROOPS IN MANCHURIA

The following, says the N. C. Daily News, is the latest information regarding the distribution of Russian troops in Manchuria:

At Port Arthur, 20,250 men, consisting of Infantry, Third Brigade, 9th, 10th, 11th and 12th regiments East Siberian Sharpshooters, comprising 2,000 men in each regiment; Seventh Brigade (one-half) or 25th and 26th regiments, East Siberian Sharpshooters, 2,000 men each.

At Haicheng, 1,150 men: four companies 23rd regiment East Siberian Sharpshooters, 1,000 men, and half-company East Siberian Battalion, with four guns, 150 men.

At Liaoyang, 1,900 men: three companies 16th regiment E. S. Sharpshooters, 750 men; four companies 25th regiment, ditto, 1,000 men, and half company Transbaikal Field Artillery, with four guns, 150 men.

At Moukden, 550 men: One company 15th regiment E. S. Sharpshooters, 250 men; half company Transbaikal Field Artillery, 150 men, and one company Transbaikal Cossacks, 150 men.

At Tiehlin, 2,750 men: 16th regiment E. S. Sharpshooters, 2,000 men; 7th company First Brigade East Siberian Artillery, with eight guns, 300 men; Pioneers: two battalions East Siberian Pioneer Regiment, 1,000 men. Torpedo Corps: one company Torpedo Corps, 200 men.

At Dalny, 2,000 men, consisting of the 16th Regiment East Siberian Sharpshooters.

At Taliwan, 4,400 men. Infantry: 12th regiment East Siberian Sharpshooters, 2,000 men; four companies 15th regiment, ditto, 1,000 men; Cavalry: four companies Baikal Cossacks, 600 men, and one battalion East Siberian Artillery, with twenty-four guns, 900 men.

At Tsinshih, 1,950 men: six companies 20th regiment E. S. Sharpshooters, 1,500 men; second company of the Second Brigade of the East Siberian Artillery, with eight guns, 200 men, and one company Amur Cossacks, 150 men

# FOR BABY'S SKIN SCALP AND HAIR

Something for Mothers to Think About

**EVERY CHILD** born into the world with an inherited or early developed tendency to distressing, disfiguring humours of the skin, scalp, and blood, becomes an object of the most tender solicitude, not only because of its suffering but because of the dreadful fear that the disfigurement is to be lifelong and mar its future happiness and prosperity. Hence it becomes the duty of mothers of such afflicted children to acquaint themselves with the best, the purest, and most effective treatment available.

That warm baths with CUTICURA SOAP to cleanse the skin and sooth of crysts and scales and gentle application of CUTICURA Ointment to instantly allay Itching, Irritation, and Inflammation, and soothe and heal, to be followed in the severest cases by mild doses of CUTICURA RESOLVENT are all that can be desired for the alleviation of the suffering of skin-tortured infants and children and the comfort of worried mothers has been demonstrated in countless houses in every land.

The absolute purity, and sweetness, instantaneous and grateful relief, speedy cure, and great economy leave nothing more to be desired by anxious parents.

**Complete External and Internal Treatment for Every Humour,**  
CUTICURA SOAP to cleanse the skin and scalp of crusts and scales, and soften the thickened cuticle; CUTICURA Ointment, to instantly allay Itching and Irritation, and soothe and heal; and CUTICURA RESOLVENT, to cool and cleanse the blood. Sold throughout the world. Aust. Depot: E. Towns & Co., Sydney, N. S. W. So. African Depot: London, Ltd., Cape Town. "How to Cure Baby Humours" free. POSTAGE PAID AND CHAS. CO., Boston, U. S. A. Sole Prop., CUTICURA RESOLVENT.

## GRAND JURY ROASTS LEGISLATIVE GRAFT

(From Saturday's Daily.)

It was a lengthy report that the grand jury presented, on retiring from its labors, before Judge Robinson yesterday morning.

Empanelled on January 4, the grand jury had considered 42 criminal cases presented by the Attorney General. It had besides investigated the expenditures of the House of Representatives, the social evil, and the Robertson fire.

Ten indictments were returned with the report, others having previously been returned. With one exception, that of Solomon Kaupuni for assault with a loaded pistol on Elizabeth Daniel, the last indictments were placed on the secret file pending the arrest of the accused. Owing to the missing House vouchers having been dealt with by the Federal authorities no investigation into them was undertaken.

In conclusion, the grand jury reports the complaint of preceding grand juries regarding the trivial nature of some cases it was required to pass upon, and expresses its appreciation of the able, thorough, impartial and courteous manner in which the Deputy Attorney General, Emil C. Peters, has performed his duties in connection with its session, acknowledging also the assistance rendered by W. S. Fleming, Assistant Attorney General, and the kind consideration of Judge Robinson.

### LEGISLATIVE EXTRAVAGANCE

The following itemized list of expenditures of the House of Representatives, exclusive of salaries and mileage, is presented in the report:

Printing Hawaiian	\$1,664.40
Printing English	3,102.39
Translation	4,217.50
Proof-reading	1,085.35
Typewriting	2,882.80
Comparing	305.00
Revising	355.00
Clerk	5,613.40
Sundry Supplies	\$22,404.99
Hack-hire	211.25
Interpreter	60.00
Postage Stamps	77.00
Civil & Penal Laws	720.00
W. R. Sims	750.45
Miscellaneous Printing	211.05
Mrs. Pal's Funeral	5.00
Advertisement	10.00
Kunukuea's Funeral	39.00
Cablegram	16.75
Mrs. Amara's Fire Claim	65.00
Total	\$3,757.25

On this showing the grand jury thus comments:

"Your grand jury is convinced that certain members of the House of Representatives betrayed their trust to the enrichment of personal friends. Especially is this manifest in the matter of typewriting, wherein it appears that bills and resolutions have been typewritten as many as three times. Failure to fasten guilt, however, has prevented this grand jury from finding indictments thereon, except in the cases heretofore reported."

Partisan perquisites were especially manifest in relation to the Printing and Enrollment Committee of the House. This committee had in charge the printing of all bills upon first reading, adopted committee reports referred to it, translation and typewriting, and the prices allowed by this committee for typewriting and translation were exorbitant and uncalled for. Further, 25 cents a page was allowed by this committee for proof-reading, which was absolutely unnecessary and had it been found necessary, should have been included in the price of printing, which was \$1.50 per page. In the case of translation, for which was paid 25 cents per page, the translator was not alone paid therefor but was also paid 25 cents extra for the typewriting of the English or Hawaiian interpretation.

The Legislature, outside of the salary of the official stenographer, paid \$2,889.80 for typewriting, which would have practically supplied seven expert stenographers in constant attendance upon the House during the regular and extra sessions. The total cost of printing was \$7,374.70, and an extra charge was paid for the proofreading of the sum of \$1,085.35, which should not have been incurred and which should have been included in the original cost of printing.

### THOUSANDS FOR LOAFERS.

That "assistance to private individuals was evidently the order of the day" is shown by the payment of \$50,134.40 to clerks, whose duties according to evidence were "mainly confined to idling about the House of Representatives." One clerk drew an extra of \$3 for inserting the date in the original and copies of a committee report.

### ORGANIC ACT VIOLATED.

Upon the dual language question the grand jury speaks in the following straightforward terms:

"Your grand jury particularly desires to call to your Honor's attention that the failure of the House of Representatives to comply with the provisions of the Organic Act, in that the proceedings should be in the English language, was the cause of the cost to the Government of \$8,281.90, as shown by the summary heretofore reported. And your grand jury cannot strongly recommend that for the protection of the taxpayers of this Territory and the efficient and expeditious performance by legislatures of their duties, that all proceedings be conducted in the English language. As far as your grand jury has been able to ascertain, although many of the members were Hawaiians born, their reading and understanding of the English language was, in most respects, sufficient to the proper execution of their duties as legislators."

"Much has been said by previous grand juries in respect to the matter

## WHY BURT WENT TO MANCHURIA

The Examiner says of H. G. Burt, who spent a little time in Honolulu en route to the Orient:

Prominent railroad officials are still wondering why Horace G. Burt abruptly resigned the presidency of the Union Pacific Railroad, with its salary of \$25,000 a year, a few weeks ago and quietly went to the Orient by way of San Francisco about ten days later. There has been no explanation of Mr. Burt's conduct until now. It is known that through Count Cassini, the Russian Ambassador to the United States, Mr. Burt has been given a year's employment as an expert by the Russian authorities on communications and railways. They want him to make a report on needed improvements for the Trans-Siberian road and the new Orenburg and Tashkend Railway. It is said his remuneration will be \$100,000 for making these two expert reports.

Mr. Burt had some friction with E. H. Harriman, but Harriman did not want him to quit the Union Pacific. Burt, however, felt aggrieved and dissatisfied. In that frame of mind he quickly accepted the Russian's offer, thereby offending both Harriman and President Marvin Hughitt of the Chicago and Northwestern. Burt is a protege of Hughitt, the highest salaried and probably the ablest railway president in the country.

As near as can be ascertained, Mr. Burt is to consult with the Russian engineers on the problem of building around Lake Baikal instead of using a ferry system forty-eight miles in extent across the lake. He is also to criticize the alignment of the Siberian road and its bridge and culvert work and the rails.

The Orenberg and Tashkend line is intended to shorten the distance and lessen the difficulties of conveying troops to the Afghan frontier and the Pamirs and likewise reduce the distance between the heart of Russia and the Chinese frontier by many miles.

## WALKER AROUSES LABOR UNIONS

WASHINGTON, March 11.—Rear Admiral Walker, chairman of the Isthmian Canal Commission, testified before the House Committee on Interstate and Foreign Commerce today that Chinese or Japanese coolies would be required to work on the Panama canal; in his opinion on account of the inability of American laborers to withstand the rigors of that climate. He said there were not enough West India negroes to be obtained for the work, which would require 30,000 or 40,000 men, before its completion.

This statement has already aroused the labor unions and representatives of organized labor here—declare that they will at once begin agitation to prevent the enactment of any legislation that will admit Chinese into the Panama zone. They hold that the canal zone is now the territory of the United States and that the exclusion act applies to it as well as to any other possession of the United States. If, however, it should be held that the exclusion act does not apply, the labor unions propose to fight for an extension of the act to that zone.

There will unquestionably be opposition to the employment of Chinese coolies on the canal work from other than labor organizations on the ground that the proper sanitation of Panama would not ameliorate the dangers of fever that white labor could be employed. Admiral Walker, however, clings to his belief that Chinese must be used at least for portions of the work. A meeting of the Canal Commission will be held here on March 22, and the Commissioners will leave soon afterward for Panama.

## ALMOST STRANGLED WITH HIS QUEUE

A crazy Chinaman detained at the Police Station attempted to pass into the happy smoking grounds last night by strangling himself with his queue. A trusty who happened to glance into the celestial's cell, saw that something unusual was going on and notified the turnkey.

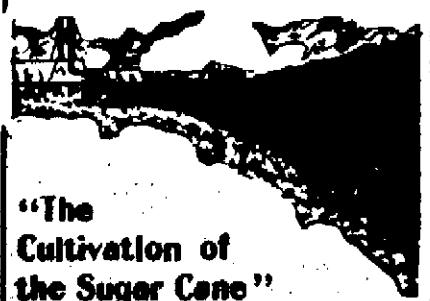
The latter, on entering the cell, found the Chinaman lying on the cement floor under the board bunk, with his queue wrapped around his neck. He was endeavoring to choke himself to death. The would-be suicide was hauled out, the queue unwrapped from his windpipe and handcuffs were slipped on his wrists.

## RUMORS OF A NEW SHORTAGE

There were rumors of another shortage about the Capitol yesterday. The road office was the one mentioned as the seat of the trouble, which fortunately did not develop into anything serious.

The possibilities of salvage on the cargo of silks, rice, tea and opium carried by the Rio on her fatal voyage are, of course, small after three years, under water. The wreckers, however, are counting on the recovery of the bullion which they believe to have been in the ship when she went down. Immediately after the wreck the amount of this was stated to have been \$600,000. The Pacific Mail officials have denied that any specie was aboard the Rio on her last voyage, but a large part of the public has steadfastly refused to accept this denial, and Collins and his fellow wreckers are working in hopes of recovering a fortune in coin which, they are sure, now lies at the bottom of the Golden Gate.

A remedy: Grinder—"What?" at your desk, and work no pressing. Meekly—"Excuse me, sir, help keep me wake all night." Grinder: "You should have brought it to my room in the office."—Town and Country



## "The Cultivation of the Sugar Cane"

A treatise on the fundamental principles of growing Sugar Cane, should be in the hands of every planter.

The value and use of

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(THE STANDARD AMMONIATE) in increasing and bettering the growth of Sugar Cane is now so well understood that the real profit in sugar growing may be said to depend upon its use.

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The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of

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The above Insurance Companies have established a general agency here and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

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## General Insurance Co. for Sea, River and Land Transport of Dresden.

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

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**THERAPI**

## WELLS FARGO DELIVERY RIGS

T. A. Proctor, agent of the Wells Fargo Express Company, leaves by the Alameda for the coast, and will return in ninety days with two express delivery rigs for Honolulu. These will call for and deliver packages free of charge. Heretofore people have been obliged to call at the local office or pay carriage.

A branch is to be established at Hilo with special delivery, the only charge being steamer tariff.

### Kauai Shipping.

The report of Purser Story of the steamer Kauai, which arrived from Kauai yesterday, is as follows:

"The steamer W. G. Hall was at Koloa loading. The steamer Mikahala was at Makaweli discharging freight. The bark W. H. Flint was loading at Makaweli. The schooner Rosamond arrived at Eleele at 2 p. m. Friday, February 18, to load sugar. Heavy rains on Kauai. Southeast winds on inward trip."

### Hilo Shipping.

Friday, March 12.

O. S. S. Alameda, Dowdell, from San Francisco, at 9 a. m.

Gaso, schr. Eclipse, Gahan, from Anahola, at 8 a. m.

Saturday, March 13.

C. A. S. S. Moana, Carey, from the Colonies, at 8 a. m.

Stmr. Helene, Nelson, from Hawaii ports, at 7:23 a. m.

Stmr. Kinai, Freeman, from Hilo and way ports, at 10 a. m.

Stmr. Nihau, Thompson, from Hamakua ports, at 6:50 a. m.

Stmr. Kauai, Bruhn, from Kauai ports, at 7:10 a. m.

U. S. A. T. Buford, Hall, from San Francisco at 8 p. m.

Sunday, March 14.

Stmr. Claudine, Parker, from Kahului, at 5 a. m.

Stmr. Maui, Bennett, from Paiahuau, at 11 a. m., with 11,650 bags sugar.

Stmr. W. G. Hall, Thompson, from Kauai ports, at 4:45 a. m. with 6,000 bags sugar, 20 bags taro, 25 M. T. blts, 5 blts. cocoanuts, 32 bags sundries.

Gaso, schr. Eclipse, Gahan, from Kauai ports, at 3 p. m.

Monday, March 15.

Am. ship Marion Chilcott, Williams, 22 days from San Francisco, at 11 a. m.

French ship Asnieres, Touze, 123 days from Cardiff, at 4:45 p. m.

Am. bark Archer, Lancaster, 31 days from San Francisco, at 7:30 a. m.

DEPARTED.

Friday, March 18.

Stmr. Mauna Loa, Simerson, for Maui, Kona and Kauai ports, at 12 m.

Stmr. Kahoolae, Dower, for Lahaina, Maalaea, Kawalae, Mahukona, Lanai-pahoehoe and Hilo, mail and passengers only, at 5 p. m.

Schr. Kawallani, for Koolau ports, afternoon.

Saturday, March 19.

Am. sp. I. F. Chapman, Kendall, for Delaware Breakwater, at 7:30 a. m.

C. A. S. S. Moana, Carey, for Vancouver and Victoria, at 2 p. m.

Saturday, March 19.

Ch. ship Othello, Wesley, for Port Townsend, at 1 p. m. Anchored later off Pearl Harbor.

Monday, March 21.

Stmr. Lehua, Naopala, for Molokai and Maui ports, at 5 p. m.

Stmr. Kauai, Bruhn, for Lahaina, Kaanapali, Honokaa, Kihel, Makena, Honokaa and Kukuhale, at 6 p. m.

Gaso, schr. Eclipse, Gahan, for Amakoa, at 5 p. m.

Stmr. Ke Au Hou, Tullett, for Kapaa, Hanalei, Kalalau and Kilauea, at 5 p. m.

Stmr. J. A. Cummins, Searle, for Koo-lau ports, at 10 a. m.

**PASSENGERS.**

Arrived.

From Hilo and way ports, per stmr. Kinau, March 19.—W. W. Scudder, Dr. W. A. Lishman, Mrs. H. C. Veazie, Mrs. H. T. Newell, Dr. H. Stetson, D. E. Allison Jr., Mrs. D. E. Allison, W. W. Candy, C. W. Moore, A. H. Moffat, J. H. Lenehan, D. Hewett, W. H. Kilpatrick, A. F. Judd, E. F. Bishop, C. H. Cooke, C. H. Judd, A. J. Campbell, N. C. Wilfong, Mrs. G. W. Paty, E. da Silva, Mrs. E. da Silva, Mrs. J. P. Fernandes, W. H. Shipman, Mrs. J. L. Richardson, Miss Ruth Richardson, H. L. Herbert, C. F. Day, Mrs. C. Tetzlaff, Judge D. K. Kahanele, Dr. T. Kitsukawa, Eugene K. Duvauchelle, J. C. Crane, Mrs. W. H. Kilpatrick, Miss R. Kilpatrick, Master W. Kilpatrick, Miss J. McMillan, Mrs. F. Ewing, Mrs. J. C. Kubl, Mrs. A. M. Marks, Mrs. E. L. Barr, Mrs. Flora Horner, L. H. Ross, Mrs. Rosene, Fred Rosene, Miss E. K. Poole, Rev. D. Scudder, R. W. Sharpe, M. Yamada, Geo. Wilson, F. O'Brien, A. Iwohi, John Hind, Mrs. M. Pachio and child, W. J. Yates, E. Comant, W. T. Rawlins, Mrs. W. T. Rawlins, W. S. Fleming, C. V. Sturtevant.

From Kukuhale, per stmr. Nihau, March 19.—Geo. Koch and 4 deck.

Per stmr. W. G. Hall, from Kauai, March 20.—F. J. Cross, S. Lesser, S. Sumatsu, H. K. Moon, Miss D. Kobb, N. N. Harnden, J. K. Farley, Jas. Young, K. Watanabe, Mrs. S. De Freest, Mrs. C. Ramsay, Judge Lindsay, N. P. Miller, H. Sanomiy, H. J. Song, W. E. Skinner.

Per stmr. Claudine, from Kahului, March 20.—W. T. Robinson, J. W. Robertson, C. M. Lovstad, S. A. D. Jones, A. W. Bowley, Capt. D. Taylor, Mrs. Panini, Alex. Iliha, Rev. O. H. Gulick, F. Williams, T. Cole, Mrs. C. Wills and son, Mrs. J. M. Wood, Mrs. J. Kaufman, Miss H. Iaea, Miss G. Iaea, T. Chin Dock, wife and three children, T. Gomi, Mr. Tokunaga, D. Yonkura, C. A. Hong, F. E. Richardson, Chas. Gay, H. L. Rosenblatt, J. J. Correll, A. N. Kepokal, J. P. Backfeld, Jno. N. Neill, Mrs. Henning, F. H. Hayelden.

**PASSENGERS DEPARTED.**

Per stmr. Kaiulani, March 18, for Hamakua ports C. Von Drathem, E. J. Walker.

Per stmr. Mauna Loa, March 18, for Lahaina, Maalaea, Kona and Kauai ports, J. A. Cunningham, E. T. Parsons, J. Paauula, J. Cooper, E. Kojima, F. E. Richardson and wife, W. H. G. Ambrano, J. F. Hackfeld, R. M. Isenberg, E. K. Bell, S. M. Vancian, Jr., Lloyd, J. R. Slattery, Mr. Wendell, Dr. Moran, Mr. Bowditch.

The barkentine Coronado, was injured at San Francisco during the gale which swept the bay on March 18.

## A VIEW OF THE WAR FROM A PRO-RUSSIAN STANDPOINT

By G. Frederick Wright, LL. D., F. G. S. A.

The war between Russia and Japan is aptly compared to a contest between a whale and an elephant. In the long run it will be of little avail for Japan to win victories on the sea and obtain a foothold upon the border of the Asiatic continent. Even the possession of Korea will give them little permanent advantage in contending with an expanding land power such as Russia, approaching from the West. A little attention to the physical geography of the region will show how strongly entrenched is the Russian position, even though she temporarily loses her supremacy upon the sea.

Korea is a mountainous peninsula, related to Manchuria somewhat as Italy is to central Europe. It contains an area of 22,000 square miles, being about as large as New England, with half of New York added. Manchuria has an area of nearly 400,000 square miles, being about as large as that portion of the United States east of the Mississippi river and north of the Ohio.

Across its entire northwestern border Korea is separated from Manchuria by a range of mountains almost as inaccessible as the Alps, which separate Italy from Europe. The southwestern terminus of this mountain range is a promontory in the Chinese Sea, and furnishes the remarkable harbors of Port Arthur and Dalny. But a line of islands practically continues the range across the mouth of the Gulf of Pe-chili to the Shantung peninsula, which is also a mountainous mass. Port Arthur, on the north, and Wei-Hai-Wei, on the south, were the strongest fortresses of the Chinese Empire, which were taken by the Japanese in their war with China in 1895.

Russia's northern fortress on the Pacific coast is Vladivostok. This is of supreme importance and is more thoroughly protected than any other naval station in the world. Situated on a bay as magnificent as that of San Francisco or of Rio Janeiro, it is surrounded with mountains and can be approached only by a long and tortuous channel, and is therefore practicably invulnerable from an attack by sea, while to the north an inopportune coast bordered by an abrupt and impassable mountain chain renders an attack from the flank or rear entirely out of the question. Like the interior valley of Manchuria, also, the one stretching 400 miles north of Vladivostok is rich in agricultural resources and capable of supplying all the food products that are necessary, while coal mines render them independent of foreign nations for their supply of fuel. The railroad puts them in easy communication with the vast commerce of the Amur River in summer, and at all times of the year in direct communication, behind inaccesible mountains, with Central and Southern Manchuria, and through its connection with the Trans-Siberian railroad, with all the riches of Eastern and Central Siberia.

There is much discussion over the military value of the Trans-Siberian railroad. The Japanese and some others take the view that it is so long and so poorly built that it will not be of much worth in forwarding troops and supplies. But this is a great mistake. Though the road is long and a single track the sidings are ample and the gauge is such that any amount of rolling stock can be utilized upon it from the other Government roads. When traversing the road in 1900, at the time of the Boxer revolution, we had ample opportunity to learn much at first hand of its capacity for transporting troops. Day after day for several weeks, as we loitered along the great highway, we saw very regularly two military trains a day going eastward, each carrying a full regiment of 1500 men, with a fair proportion of horses and military stores, and there was no visible reason why there should not have been twice that number, except that at that time there was only one steam ferry boat for transporting trains across Lake Baikal. But upon that ferry boat I have seen 30 cars at one time with 1500 soldiers. The boat, however, was able to make only two trips a day. But later a second boat of equal capacity was put on, so that 6000 soldiers a day could easily be carried across, while in the winter, when the lake is frozen over from January to May, the track which is laid across will make the transit even easier than in summer.

The following sugar on Kauai, ready for shipment, is reported: K. S. M. 400 bags; V. K. 500 bags; Mak. 12,120 bags; McB. 21,980 bags; K. P. 2,500 bags; S. Co. 1200 bags; G. F. 2,734 bags; K. M. 4740 bags; total 47,234 bags.

The Siberia ran into the edge of a terrific southeaster the day before reaching San Francisco, but rode it out splendidly. The sea was so rough, however, that the spray dashed high up the vessel's sides, and the stiff gale kept passengers off the decks.

Captain U. S. G. White, the civil engineer officer on the staff of Admiral Terry at the Naval Station, has received orders detaching him from this station, and to proceed home. Accompanied by Mrs. White, the popular officer may leave for the mainland the latter part of the present month.

The transport Buford is expected today from San Francisco en route to Manilla via Midway and Guam. There are 600 marines aboard for Cavite to be distributed among the warships on the Asiatic station. The Buford's cargo consists of lumber to be used in the construction of public utilities in Manila. The transport also has a shipment of supplies for the cable station at Midway.

The Claudine's cargo consigned the following: 75 pkgs. bides, 166 sacks peat, 181 sacks corn, 185 sacks nitrate, 25 bags, 129 pkgs. sundries.

The American barkentine Archer, Captain Melville, was reported off Diamond Head late yesterday afternoon. She will probably make port this morning.

The following sugar on Kauai, ready for shipment, is reported: K. S. M. 500 bags, V. K. 400, Mak. 13,250, G. & R. 1250, McB. 25,050, K. P. 2,500, H. M. 7435, G. F. 5000, K. S. Co. 1500.

The schooner Ada went on the Pearl Harbor reef last Saturday, but was hauled off by the tug Rover. It is not believed the vessel sustained much damage.

The S. S. Alameda leaves tomorrow morning at 9 o'clock for San Francisco. Her passenger accommodations are taxed to the limit for the voyage.

### Archer in a Gaze.

After a slow voyage of thirty-one days the barkentine Archer arrived yesterday morning from San Francisco. Calm and light winds were responsible for the delay in reaching the Islands. A week ago the Archer was in sight of the Islands but was unable to get closer. Captain Lancaster is now in command. He was formerly first officer of the Gerard C. Tobey. The Archer docked at the Irmgard wharf where she will discharge a general merchandise cargo.

### Iroquois' Annual Cruise.

The annual cruise of the U. S. S. Iroquois may take place in May unless orders are received to leave earlier for Midway with supplies.

### PASSENGERS.

Booked.

Per stmr. Kinau, for Hilo and way ports, Tuesday, March 22, at 12 noon.

Mrs. M. K. Nakua, Mrs. Robert Dodge, B. Frank Steele, C. H. Judd, H. Kendall, Miss E. Schnoor, Mrs. H. C. Brown, A. Haneberg and wife, C. P. Renton, Rev. A. C. Logan and wife, J. A. Aheong, Mrs. Morey, H. Holmes, Mr. Risler and wife, Miss Grozeller, Mrs. Holmes, Miss Leigh, Miss M. J. Allen, H. F. Appleton and wife, Miss K. H. Pal, H. F. Williams, T. C. Davis.

Per stmr. Claudine, for Maui ports, Tuesday, March 22, at 5 p. m.: J. R. Castle, H. G. Danford, E. K. Bell, C. E. Taynes, wife and child, Rev. J. E. Kepka.

**PASSENGERS DEPARTED.**

Per stmr. Kaiulani, March 18, for Hamakua ports C. Von Drathem, E. J. Walker.

Per stmr. Mauna Loa, March 18, for Lahaina, Maalaea, Kona and Kauai ports, J. A. Cunningham, E. T. Parsons, J. Paauula, J. Cooper, E. Kojima, F. E. Richardson and wife, W. H. G. Ambrano, J. F. Hackfeld, R. M. Isenberg, E. K. Bell, S. M. Vancian, Jr., Lloyd, J. R. Slattery, Mr. Wendell, Dr. Moran, Mr. Bowditch.

The barkentine Coronado, was

## OPEN VENIRE IS ILLEGAL

(Continued from page 5)

depended on further reflection to be excused. By permission he now examined Mr. Larsen again and challenged him for cause and he was excused over the objection of A. G. M. Robertson for the defense.

James H. Boyd passed for cause against the objection of the prosecution, which later exercised its last peremptory challenge. In retiring Mr. Boyd, Jas. W. Bergstrom was challenged by the defense. Before his place was filled by Robert Nelson, both sides agreed in excusing for cause.

On the retirement of J. H. Boyd, no names were left in the box. Judge Robinson ordered a special venire for forty-nine men to be issued, returnable in part at 2 p. m. that day. At the continuance of the cause until that time, but two more peremptory challenges remained and both to the defense.

The partial return of the last venire at 2 o'clock brought into court E. R. Adams, S. F. Nott, A. J. Campbell, J. J. Carden, W. R. Coombs, S. E. Damon, E. Swan, J. C. Evans, C. Schellkopf, G. T. Klugel, John Mitchell, P. M. Pond, H. H. Walker, J. W. A. Redhead, St. C. Sayres, W. B. Scott, J. H. Cummings, S. G. Wilder, Gaspar Silva, R. C. Atherton, C. V. Sturtevant, Ed. Towse, K. R. G. Wallace, H. A. Juen, C. A. Simpson, A. C. Silva and F. W. Thrum, being thirty out of the forty-nine ordered.

Counting the first and second open venires, in addition to the year's jury list of 250 names, the total number of jurors summoned was nearly 330, out of which eleven men who had passed for cause were on the panel, after fifteen peremptory challenges had been exercised and one challenge waived by the prosecution, with two challenges remaining to the defense and thirty men waiting to be examined for cause. This was the jury impanelling situation when the proceedings came to their abrupt termination.

The defendant Jones has not yet been placed in jeopardy to entitle him to release on that ground, as until a jury is sworn to try him he is not considered to be on trial. All the same, a very weak spot has been uncovered in the jury law passed by the Legislature of 1903.

OTHER CRIMINAL MATTERS.

Demurrers to indictments of Enoch Johnson and Jonah Kurniai for conspiracy first degree, Solomon McNeile for gross cheat and Enoch Johnson for gross cheat were on account of the absence of counsel for defendants, continued by Judge Robinson until Monday next.

There is much discussion over the military value of the Trans-Siber